

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

EDWIN WAYNE JOYCE,)
)
)
Plaintiff,)
)
)
v.)
) 1:23-cv-610
MARK WILSON, of KD Cell 9,)
)
)
Defendant.)

ORDER

On August 1, 2023 the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2, 3, 5.) No objections were filed within the time prescribed by Section 636.

The court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 2), is **ADOPTED**. **IT IS FURTHER ORDERED** that this action be filed, and is hereby, **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new action, on the proper forms, which corrects the defects cited in the Magistrate Judge's Order and Recommendation.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 26th day of October, 2023.

William L. Osten, Jr.
United States District Judge